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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
12 FRESNO DIVISION
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15 RODNEY N. BLALOCK,

16 Plaintiff,

17 v.

18 KILOLO KIJAKAZI,
Acting Commissioner of Social Security,

19 Defendant.
20
21

No. 1:21-cv-00144-EPG

STIPULATION AND ORDER FOR EXTENSION
TO FILE DEFENDANT'S RESPONSIVE BRIEF

22 The parties stipulate through counsel that Defendant, the Acting Commissioner of Social
23 Security (the "Commissioner"), shall have a 60-day extension of time to respond to Plaintiff's
24 opening brief, filed on November 29, 2021 (doc. 18), extending the date on which Defendant's
25 responsive brief is due from January 28, 2022, to March 29, 2022.

26 The assigned lead attorney of record is currently on extended leave and is unable to brief
27 the case by the current due date. The Commissioner anticipated that the lead attorney would
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1 return to the office prior to the current response date, but recently learned that the lead attorney
2 would be on extended leave. We anticipate that the lead attorney will return to the office prior to
3 March 28, 2022, and will be able to respond to Plaintiff's brief by that date. The Commissioner
4 respectfully requests this additional time to accommodate the lead attorney's unplanned absence
5 or alternatively, to reassign the matter to another attorney.

6 Due to the overall volume of work within the Commissioner's Region IX Office of
7 General Counsel, neither the undersigned attorney or another attorney in the Region IX Office
8 anticipate being able to review and respond to Plaintiff's letter brief by the current due date.
9 Current staffing limitations caused by planned and unplanned leave of multiple attorneys make
10 immediate reassignment impractical. Accordingly, the Commissioner respectfully requests an
11 extension of 60 days, until March 29, 2022, to respond to Plaintiff's opening brief.

12 This request is made in good faith and is not intended to delay the proceedings in this
13 matter.

14 Respectfully submitted,

15 DATE: January 28, 2022

16 /s/ Jonathan O. Pena
JONATHAN PENA
Attorney for Plaintiff
(as approved via email)

18 PHILLIP A. TALBERT
19 United States Attorney

20 DATE: January 28, 2022

21 By /s/ Carol S. Clark
CAROL S. CLARK
Special Assistant United States Attorney (on behalf
22 of lead attorney Ellinor Coder)
Attorneys for Defendant

ORDER

Pursuant to the parties' stipulation (ECF No. 19), IT IS HEREBY ORDERED that Defendant shall file and serve a Responsive Brief by March 29, 2022. All remaining deadlines in the Scheduling Order (ECF No. 5) are extended accordingly.

IT IS SO ORDERED.

Dated: **January 31, 2022**

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE